

In re Patent Application of:
MARTIN HERING
Serial No. 09/705,152
Filing Date: 11/02/2000

Amended Claim 64 is directed to use of a turnstile having an arm movable into and out of the passageway, wherein the arm includes an outside surface defined by a generally circular cross section. Such has been generally accepted as a viable turnstile embodiment and is used extensively in sports and other venues demanding crowd control. As indicated in the specification and earlier provided in application prosecution of related applications, turnstile advertising has not been successfully used for advertising until the present invention. As further called for in independent Claim 62, a sleeve is provided that is easily slidable onto and off of the arm with the sleeve encircling a substantial portion of the arm, and indicia carried by the sleeve. In contrast, Harrison '323 teaches adapting arms (3) for display (see Col 2, beginning Line 12) including downwardly projecting side walls (21), a central reinforcing rob (22), an inner end wall (21) and an outer end wall (24) as described with reference to FIGS. 3 and 5, thereof.

New Claims 86 – 90 depend from Claim 62 and add yet further distinguishing features. By way of example, ease in being able to slide the sleeve onto and off of the arm permit effective and timely changes of advertising provided by the indicia. Dependent Claim 89 and 90 add further features of the sleeve, and further define and distinguish over the teachings in the art.

A Terminal Disclaimer is hereto attached to overcome the double patenting rejection when taken with the amendments above described and arguments presented herein. Attention is further directed to the teachings in the Declaration Under 37 CFR 1.132 of Martin Hering transmitted with the filing of this Request for Continued Examination. In particular, it is clear that the present invention, as herein more clearly presented in amended independent Claim 62, has satisfied a need not met in the advertising industry. The testimonials of customers using "Turnstile Adsleeve" arm covers such as those of the Boston Red Sox Marketing Department, Rose Bowl, and

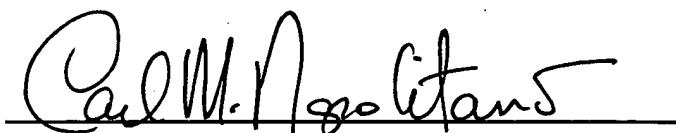
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the Pittsburgh Pirates, by way of only a few examples, truly show support for an invention that has met a real need. Further evidence of success of the invention continues and can be made available to the Examiner at his request.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version With Markings to Show Changes Made."

Applicants and the undersigned would like to again thank the Examiner for his efforts and guidance in the examination of this application. Respectfully, it is now felt that the claims in the case are in a condition for allowance and passage to issue is requested. If the further prosecution of this application can be expedited through a telephone interview, the Examiner is asked to contact the undersigned at the Examiner's convenience.

Respectfully submitted,



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Version With Markings to Show Changes Made In The Claims:

62. (Amended) An advertising method [employing a turnstile, the advertising method] comprising:

providing a turnstile for defining a passageway, the turnstile having an arm movable into the passageway for blocking passage of a person passing therethrough, the arm moveable [and] out of the passageway for permitting passage therethrough, the arm having an outside surface defined by a generally circular cross section; [and]

providing a sleeve easily slidable onto and off of the arm, the sleeve encircling a substantial portion of the arm;

carrying indicia by the [arm] sleeve, wherein the indicia is positioned for viewing by the person passing through the passageway when the arm is [in the passageway blocking passage therethrough] positioned therein.

Please cancel Claim 63.

64. (Amended) A method according to Claim 62, further comprising placing [a] the sleeve onto the arm for covering the indicia, the sleeve having at least a transparent portion for viewing the indicia therethrough.

65. (Amended) A method according to Claim [64] 62, further comprising:
providing a collar for removably securing the sleeve to the arm; and
securing the sleeve to the arm using the collar.

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66. (Amended) A method according to Claim [64] 62, further [including]
comprising[.]

providing a sheet for carrying the indicia thereon[;
placing the sheet within the sleeve; and
securing the sleeve to the arm].

Please cancel Claim 67 – 85 and add new Claims 86 – 90 as follows:

–86. A method according to Claim 62, wherein the sleeve completely encircles the arm.

87. A method according to Claim 62, further comprising:
sliding the sleeve onto the arm with the sleeve carrying a first indicia;
sliding the sleeve off of the arm; and
sliding at least one of the sleeve and an alternate sleeve onto the arm, wherein a second indicia is carried thereby.

88. A method according to Claim 62, wherein the sleeve comprises a transparent portion, and wherein the indicia is carried within the sleeve for viewing the indicia therethrough.

89. A method according to Claim 62, wherein the sleeve comprises a tubular

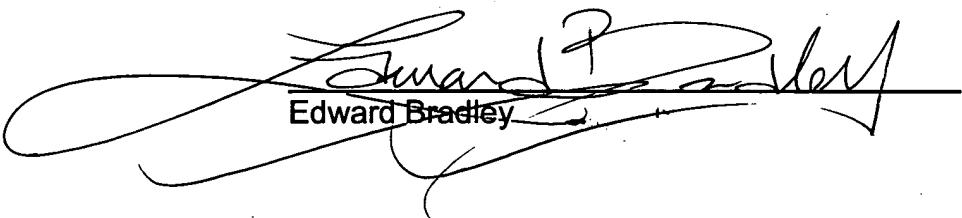
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sleeve having an outside surface defined by a generally circular cross section.

90. A method according to Claim 89, wherein the indicia is fixedly attached to the sleeve. --

CERTIFICATE OF MAILING

I hereby certify that the foregoing is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents, Washington D.C. 20231, this 11th day of February, 2003.


Edward Bradley